

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CHRISTOPHER L. ELLIOTT,)	
Petitioner,)	Civil Action No. 7:15cv00478
)	
v.)	
)	By: Elizabeth K. Dillon
HAROLD W. CLARKE,)	United States District Judge
Respondent.)	

ORDER

In accordance with the Memorandum Opinion entered this day, it is hereby ORDERED that Elliott's 28 U.S.C. § 2254 petition is DISMISSED without prejudice and this action is STRICKEN from the active docket of the court.

Further, finding that Elliott has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is DENIED.

The Clerk is directed to send copies of this order and accompanying memorandum opinion to the petitioner.

Entered: October 20, 2015.

Elizabeth K. Dillon
United States District Judge